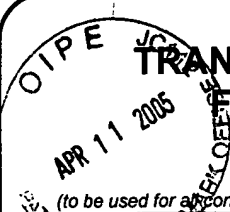


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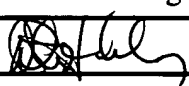
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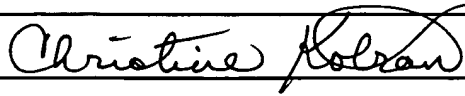
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 <p><b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)</p>	Application Number	10/509,712
	Filing Date	September 28, 2004
	First Named Inventor	Detlef P. Muller-Schulte
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	RO0909US (#90568)

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	D. Peter Hochberg Co., L.P.A.	
Signature		
Printed name	D. Peter Hochberg	
Date	Reg. No.	24,603
	April 6, 2005	

CERTIFICATE OF TRANSMISSION/MAILING			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Detlef P. Müller-Schulte  
Serial No. : 10/509,712 / Conf. No. 2617  
Filed : September 30, 2004  
Title : LUMINESCENT, SPHERICAL, NON-AUTOFLUORESCENT  
SILICA GEL PARTICLES WITH CHANGEABLE EMISSION  
INTENSITIES AND EMISSION FREQUENCIES (per Prelim. Amd. mld.  
9/30/2004)  
Examiner : \_\_\_\_\_ / Art Unit : 1645  
Attorney Docket: RO0909US (#90568)

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for the records of the USPTO is a copy of the English translation of the International Preliminary Examination Report for PCT/EP2003/003163.

Respectfully submitted,

DPH/SM/ck  
Enc.

By: \_\_\_\_\_

D. Peter Hochberg  
Reg. No. 24,603

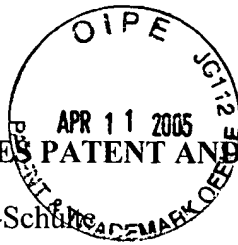
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Cleveland, OH 44114  
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Christine A. Kotran



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Detlef P. Müller-Schulze  
Serial No. : 10/509,712 / Conf. No. 2617  
Filed : September 30, 2004  
Title : LUMINESCENT, SPHERICAL, NON-AUTOFLUORESCENT  
SILICA GEL PARTICLES WITH CHANGEABLE EMISSION  
INTENSITIES AND EMISSION FREQUENCIES (per Prelim. Amd. mld.  
9/30/2004)  
Examiner : \_\_\_\_\_ / Art Unit : 1645  
Attorney Docket: RO0909US (#90568)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

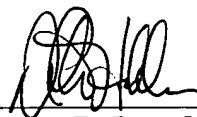
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Supplemental to the Information Disclosure Statement filed with the application on September 30, 2004, applicant submits herewith copies of the references listed on our original 1449 document under the headings "Foreign Patent Documents" and "Other Prior Art" (reproduced below with expanded titles) with the exception of one article indicated as "\*\*," which can be found in voluminous textbooks that supply only basic scientific facts. Additionally, the reference indicated as "\*\*\*" is newly submitted.

Respectfully submitted,

DPH/SM/ck  
Att. - PTO-1449 w/o references

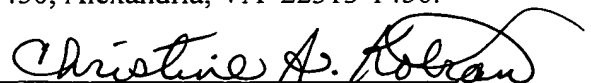
By:   
D. Peter Hochberg  
Reg. No. 24,603

D. Peter Hochberg Co., L.P.A.  
1940 East Sixth Street - 6<sup>th</sup> Floor  
Cleveland, OH 44114  
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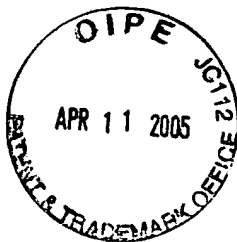
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Date: April 6, 2005

  
Christine A. Kotran

Form PTO-1449  
Attorney Docket RO0909US (#90568)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INFORMATION DISCLOSURE CITATION

In re application of: Detlef P. Müller-Schulte

Serial No: 10/509,712 / Conf. No. 2617

Group No.: 1645

Filed: September 30, 2004

Examiner: \_\_\_\_

For: LUMINESCENT, SPHERICAL, NON-AUTOFLUORESCENT SILICA GEL  
PARTICLES WITH CHANGEABLE EMISSION INTENSITIES AND  
EMISSION FREQUENCIES (per Prelim. Amd. mld. 9/30/2004)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Foreign Patent Documents

Examiner Initial	Document Number	Date	Country	Translation (Yes/No)
_____	WO 99/01766	1/14/99	PCT	(Abstract & claim 1)
_____	WO 02/09125	1/31/2002	PCT	(Abstract)
_____	1 439 031 (Previously identified as BR1439031)	06/09/1976	GB	(English)
_____	24 26 919	1/2/76	DE	Claim 1

Other Prior Art (Inc. Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initial	Document
_____	Oi, et al., "Fluorescent Phycobiliprotein Conjugates for Analyses of Cells and Molecules," <u>J. Cell. Biol.</u> , Vol. 93: 981 (1982)

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- \_\_\_\_ Dave et al., "Sol-gel matrices for protein entrapment," Immobilized Biomolecules in Analysis \*\*

Examiner:

Date Considered:

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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.